

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Northern District of California

E-filing

U. S. DEPARTMENT OF LABOR, EMPLOYEE
BENEFIT SECURITY ADMINISTRATION (EBSA),

Plaintiff

v.

OPT, Inc., 401(k) PROFIT SHARING PLAN,

Defendant

CV 10
Civil Action No.

43 63

PVT

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Joycelyn Tran
44802 Osgood Road
Fremont, California 94539

And all named Defendants

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Joseph M. Lake, Esq.
U. S. Department of Labor
Office of the Solicitor
90 7th Street Suite 3-700
San Francisco, California 94103

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date:

SEP 28 2010

CLERK OF COURT

Walter L. Almacén

Signature of Clerk or Deputy Clerk